



SYNOPSIS

Senate Bills and Joint Resolutions 2013 Maryland General Assembly Session

**January 24, 2013
Schedule 12**

PLEASE NOTE: February 1 – Bill introduction deadline.
All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 4.
As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

SENATE BILLS INTRODUCED January 24, 2013

SB 335 **Senator Klausmeier, et al**

**HEALTH OCCUPATIONS – FUNERAL ESTABLISHMENTS –
PREPARATION AND HOLDING ROOMS**

Establishing that a funeral establishment that uses a central preparation room at another funeral establishment is not required to have its own preparation room or holding room.

EFFECTIVE OCTOBER 1, 2013

HO, § 7-310 - amended

Assigned to: Education, Health, and Environmental Affairs

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

Other Maryland Areas: 1-800-492-7122 — Maryland Relay Service: 1-800-735-2258

SB 336 Senator King, et al**CREATION OF A STATE DEBT – MONTGOMERY COUNTY – RCI GROUP HOME RENOVATIONS**

Authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of Residential Continuum, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of RCI Group Home, located in Montgomery County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Budget and Taxation

SB 337 Senator Peters, et al**REAL PROPERTY – RESIDENTIAL LEASES – INTEREST ON SECURITY DEPOSITS**

Changing the interest rate paid on a security deposit at the end of a tenancy under a residential lease or by a mobile home park owner and when an evicted or ejected tenant makes a timely written demand for return of the security deposit from 3% per annum to the daily U.S. Treasury yield curve rate for 1 year, as of the first business day of each year, or 1.5%, whichever is greater; requiring the Department of Housing and Community Development to maintain on its Web site a specified list or calculator; applying the Act prospectively; etc.

EFFECTIVE JANUARY 1, 2014

RP, §§ 8-203(e) and (h) and 8A-1001(f) - amended and § 8-203(k) - added

Assigned to: Judicial Proceedings

SB 338 Senator Conway**STATE BOARD OF NURSING – MEDICATION TECHNICIAN GRADUATES AND CERTIFIED MEDICATION TECHNICIANS – SUNSET EXTENSION**

Extending the termination date for specified provisions of law concerning medication technician graduates and certified medication technicians; and making the Act an emergency measure.

EMERGENCY BILL

Chapter 123 of the Acts of 2011, § 3 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 339 Senator Robey, et al**MOTOR VEHICLES – USE OF WIRELESS COMMUNICATION DEVICE
– PROHIBITED ACTS, ENFORCEMENT, AND PENALTIES**

Repealing provisions of law that require enforcement as a secondary offense of specified violations involving the use of a wireless communication device while operating a motor vehicle; repealing provisions of law that apply prohibitions involving the use of a wireless communication device to specified operators of motor vehicles only if the motor vehicle is in motion; providing that specified prohibitions apply only if the motor vehicle is in the travel portion of a roadway; altering a specified penalty; etc.

EFFECTIVE OCTOBER 1, 2013

TR, §§ 21-1124 and 21-1124.2 - amended

Assigned to: Judicial Proceedings

SB 340 Senator Stone**CREATION OF A STATE DEBT – BALTIMORE COUNTY – DUNDALK
YOUTH SERVICES ARTS CENTER**

Authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Dundalk Youth Services Center, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Dundalk Youth Services Arts Center, located in Baltimore County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Budget and Taxation

SB 341 Senator Madaleno**HIGHER EDUCATION – ACADEMIC PROGRAM ACTION – REPEAL
OF APPLICATION FEES**

Repealing the authority of the Maryland Higher Education Commission to impose application fees for the approval of specified academic program actions taken by specified institutions of higher education.

EFFECTIVE JULY 1, 2013

ED, § 11-105(o) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 342 Senator Madaleno**STATE GOVERNMENT – ACCESS TO PUBLIC RECORDS IN ELECTRONIC FORMATS – TERMINATION DATE**

Extending the termination date to September 30, 2016, for specified provisions of law related to access to public records in specified electronic formats.

EFFECTIVE OCTOBER 1, 2013

Chapter 536 of the Acts of 2011, § 2 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 343 Senator Shank, et al**PROCUREMENT – LOWER-COST GOODS AND SERVICES**

Providing that when a primary procurement unit makes a specified determination concerning its participation in an intergovernmental cooperative purchasing agreement, the determination will include a statement that the agreement will allow an entity whose procurement is managed by the primary procurement unit to withdraw the entity's participation under the agreement under specified circumstances.

EFFECTIVE OCTOBER 1, 2013

SF, § 13-110 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 344 Senators Middleton and Frosh**POTOMAC RIVER FISHERIES COMMISSION – INSPECTION TAX AND PENALTY**

Establishing a maximum oyster inspection tax that may be imposed by the Potomac River Fisheries Commission; requiring the Potomac River Fisheries Commission to use the proceeds of the oyster inspection tax for a specified purpose; increasing a maximum penalty for the violation of specified regulations; making the Act subject to a specified contingency; etc.

CONTINGENT – VARIOUS EFFECTIVE DATES

NR, § 4-306 Art. III § 9 and Art. V § 2 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 345 **Senator Montgomery, et al****STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS –
PSYCHOLOGY ASSOCIATES – LICENSURE**

Requiring an individual, except under specified circumstances, to be licensed by the Board before practicing psychology as a psychology associate in the State; specifying the circumstances under which a licensed psychology associate is authorized to practice psychology in the State; requiring an individual to meet specified requirements to qualify for licensure as a psychology associate; requiring an applicant for licensure as a psychology associate, except under specified circumstances, to pass specified examinations; etc.

EFFECTIVE OCTOBER 1, 2013

HO, §§ 18-101, 18-202, 18-206, 18-301, 18-302, 18-306, and 18-308 through 18-313 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 346 **Senator Kelley****INNOVATIONS IN AGING SERVICES PROGRAM – COMMISSION ON
AGING – RESPONSIBILITIES**

Repealing the Innovations in Aging Services Advisory Council and transferring specified responsibilities of the Council to the Commission on Aging; providing that the Commission advise the Secretary of Aging on the development of an annual Innovation in Aging Services Program plan; and providing that the Commission shall advise the Secretary on the awarding of grants in accordance with the Program priorities.

EFFECTIVE OCTOBER 1, 2013

HS, §§ 10-601, 10-603, and 10-605 - amended and § 10-604 - repealed

Assigned to: Finance

SB 347 Senators Brochin and Klausmeier**CREATION OF A STATE DEBT – BALTIMORE COUNTY –
LIMEKILNS AND LOG HOUSE STABILIZATION PROJECT AT
CROMWELL VALLEY PARK**

Authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of the Cromwell Valley Park Council, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Limekilns and Log House at Cromwell Valley Park, located in Parkville; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Budget and Taxation

SB 348 Senators Colburn and Astle**CRIMINAL LAW – DISTRIBUTION OF FAKED CONTROLLED
DANGEROUS SUBSTANCE – SUBSTANTIALLY SIMILAR CHEMICAL
STRUCTURE**

Requiring a court, in determining if a person has violated the prohibition against distributing, attempting to distribute, or possessing with intent to distribute a specified noncontrolled substance, to consider whether the chemical structure of the noncontrolled substance is substantially similar to the chemical structure of a controlled dangerous substance.

EFFECTIVE OCTOBER 1, 2013

CR, § 5-617 - amended

Assigned to: Judicial Proceedings

SB 349 Senators Colburn and Mathias**WICOMICO COUNTY LIQUOR ACT OF 2013**

Creating in Wicomico County a refillable container license; authorizing the Board of License Commissioners to issue the license to a holder of any class of alcoholic beverages license issued by the Board except a Class C license, Class D license, Class B–Conference Center license, or Class B–Stadium license; authorizing the license holder to sell draft beer in a specified container for off–premises consumption; etc.

EFFECTIVE JULY 1, 2013

Art. 2B, §§ 7-101(w), 8-223, 8-412(f), 11-402(x), 11-523(c), and 12-113(c) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 350 Senator Colburn**ELECTRICAL INSPECTORS AND PLUMBING INSPECTORS –
MASTER LICENSE REQUIRED**

Requiring a county or local government to employ as electrical inspectors only individuals who hold, or have previously held within the past 5 years under specified circumstances, a State license or local license, as applicable, to provide electrical services as a master electrician or who are certified by specified entities; requiring a county or local government to employ as plumbing inspectors only individuals who hold a master plumber license issued by specified entities; etc.

EFFECTIVE JANUARY 1, 2014

BOP, §§ 6-313, 12-103, and 12-503 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 351 Senator Mathias**SOMERSET COUNTY – ALCOHOLIC BEVERAGES – BEER AND
WINE TASTING LICENSE**

Establishing in Somerset County a beer and wine tasting (BWT) alcoholic beverages license for a holder of a beer, wine and liquor license or a beer and wine license, notwithstanding any other provision of law; specifying that a BWT license authorizes a holder to serve specified alcoholic beverages for tasting purposes only and for no consideration; requiring the County Board of License Commissioners to regulate the quantity and number of bottles of specified alcoholic beverages to be served; specifying license and issuance fees; etc.

EFFECTIVE JULY 1, 2013

Art. 2B, § 8-410.2 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 352 Senator DeGrange**CREATION OF A STATE DEBT – ANNE ARUNDEL COUNTY – NATIONAL ELECTRONICS MUSEUM**

Authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the National Electronics Museum, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of an exhibit at and exterior of the National Electronics Museum, located in Linthicum; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Budget and Taxation

SB 353 Senator Currie**TAX CREDITS FOR QUALIFYING EMPLOYEES WITH DISABILITIES – SUNSET REPEAL**

Repealing termination provisions and altering dates of applicability for specified tax credits for employers that hire qualifying individuals with disabilities.

EFFECTIVE JUNE 1, 2013

Chapter 112 of the Acts of 1997, §§ 4 and 6, as amended and Chapter 113 of the Acts of 1997, §§ 4 and 6, as amended - amended

Assigned to: Budget and Taxation

SB 354 Senator Pugh, et al**CRIMINAL PROCEDURE – STATE VULNERABLE–ADULT ABUSER REGISTRY**

Requiring individuals convicted of vulnerable–adult abuse to register with a specified supervising authority by a specified time and to register annually with a local law enforcement unit for a specified term; requiring a specified registration to include a digital image that shall be updated at least once each year; requiring the Department of Public Safety and Correctional Services to establish a specified registry and to provide specified information on the Internet; establishing penalties for a violation of the Act; etc.

EFFECTIVE OCTOBER 1, 2013

CP, §§ 11-7A-01 through 11-7A-11 - added

Assigned to: Judicial Proceedings

SB 355 Senator Pugh, et al**DEPARTMENT OF HEALTH AND MENTAL HYGIENE – HEALTH CARE FACILITIES – ABUSER REGISTRY**

Requiring the Secretary of Health and Mental Hygiene to establish a registry that includes specified information on employees of health care facilities who were terminated for abusing or neglecting a specified individual in a health care facility; requiring the placement of the employee on the registry under specified circumstances; authorizing specified health care facilities to have access to the registry; prohibiting a health care facility from employing an individual listed in the registry; etc.

EFFECTIVE OCTOBER 1, 2013

HG, §§ 19-347.1 and 19-351(e) and (f) - added and § 19-351(a) - amended

Assigned to: Finance

SB 356 Senator Pugh, et al**EX-OFFENDER BUSINESS DEVELOPMENT PROGRAM STUDY**

Requiring the Department of Business and Economic Development, the Department of Labor, Licensing, and Regulation, and the Department of Public Safety and Correctional Services jointly to study and evaluate the feasibility of establishing a business development program for ex-offenders and to identify funding sources for specified purposes; and requiring the Departments jointly to report their findings to specified committees of the General Assembly on or before October 1, 2014.

EFFECTIVE OCTOBER 1, 2013

Assigned to: Finance

SB 357 Senator Conway**STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS – FUNERAL ESTABLISHMENTS – INSPECTIONS**

Requiring that specified licensees or employees of the licensees give immediate access to specified members or employees of the State Board of Morticians and Funeral Directors for purposes of conducting specified inspections; requiring the Board to provide the results of an inspection to specified licensees within 24 hours after completion of an inspection; etc.

EFFECTIVE OCTOBER 1, 2013

HO, § 7-409 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 358 **Senator Conway****STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS –
AUTHORITY TO DISCIPLINE – FUNERAL ESTABLISHMENT
LICENSES**

Expanding the authority of the State Board of Morticians and Funeral Directors to discipline the holders of funeral establishment licenses under specified circumstances.

EFFECTIVE OCTOBER 1, 2013

HO, § 7-316 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 359 **Senator Pugh, et al****EDUCATION – SCHOOL VEHICLE ATTENDANT**

Prohibiting an individual from serving as a school vehicle attendant unless the attendant is a specified employee or a specified individual assigned or authorized to work with a specified student under specified circumstances, or has specified authorization, and possesses specified identification.

EFFECTIVE OCTOBER 1, 2013

TR, § 16-816 - amended

Assigned to: Judicial Proceedings

SENATE BILL REASSIGNED January 23, 2013**SB 261** **Senator Young, et al****STATE GOVERNMENT – ADMINISTRATIVE PROCEDURE ACT –
EFFECTIVE DATE OF ADOPTED REGULATIONS**

Altering the effective date of specified regulations adopted under the Administrative Procedure Act.

EFFECTIVE OCTOBER 1, 2013

SG, § 10-117 - amended

Reassigned to: Education, Health, and Environmental Affairs